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JEFFERSON *and the* PRESS

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*Jefferson*  
*AND THE PRESS*

*By*  
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## ACKNOWLEDGMENTS

For citations in quoting the letters of Jefferson in this study, the twenty-volume Lipscomb, or "Memorial," edition has been used, since it is somewhat more comprehensive than either of the older compilations. Comparison, however, has been made with the *Writings*, more ably edited by Ford, which is cited for some letters not found in Lipscomb.

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This monograph is intended as a humble contribution to the observance of the bicentenary of Jefferson's birth.

F. L. M.

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# I

## INTRODUCTION

THE LETTERS of Thomas Jefferson afford a great treasury of ideas which may be levied upon by controversialists seeking support for their arguments in many fields of thought. Both defenders and critics of the newspapers have repeatedly gone to Jefferson for help, and both groups have found what they were looking for. As a result there is no little confusion among students as to Jefferson's attitude, or attitudes, toward the press.

Nor have Jefferson's biographers gone to the trouble of clarifying the development of his thought on this subject. One of his editors, Worthington Chauncey Ford, wrote for the Columbia Historical Society, of Washington, D.C., in 1904, a paper entitled "Jefferson and the Newspaper";<sup>1</sup> but this study loses validity and authority by its omission of any proper consideration of Jefferson's relation to two great papers which were connected with his career for a long time—the *National Intelligencer*<sup>2</sup> and the *Richmond Enquirer*. Moreover,

<sup>1</sup> *Records of the Columbia Historical Society*, Vol. VIII (1905), pp. 78-111.

<sup>2</sup> Ford has a short postscript on the *Intelligencer*: "Since the above paper was written, Mr. J. Henley Smith, a grandson of Samuel Harrison Smith, has shown me an entry in the manuscript 'Reminiscences' of Mrs. Samuel Harrison Smith, indicating that Jefferson was responsible for Mr. Smith's removal from Philadelphia to Washington, to establish the long and well-known *National Intelligencer*." He then

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Ford is less than fair to Jefferson; like most of those who have written of the great Hamilton-Jefferson debate, he possesses opinions and feelings too strong to allow him to keep the even keel of the judicious historian. The basic Jeffersonian idea of the press, so important even today in our thinking about journalism and government, seems to have interested Ford but little. Some years later Josephus Daniels wrote an able paper, "Jefferson's Contribution to a Free Press," which was used as the introductory essay for Volume XVIII of the Lipscomb edition of Jefferson's works; but this was not intended as a comprehensive review of the philosopher-statesman's relations with the press. An essay seems needful, therefore, toward a more inclusive collection and analysis of Jefferson's chief utterances and actions in this field.

The confusion about Jefferson's opinions upon the press arises from apparent contradictions in ideas appearing in letters to his friends over a period of many years. The philosophic type of mind, preoccupied with ultimates and fundamentals, is apt to care but little for seeming consistency in the application of those general ideas. Henry Watterson, famous journalist and life-long idolater of Jefferson, discussing this matter in relation to his hero, once wrote:

I know of no vanity so illusory and mischievous as that emanating from the ordinary, yet heedless, boast of consistency. No man is the same at five-and-forty that he was at five-and-twenty. Nor does the world stand

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quotes the paragraph relating this incident later published in Mrs. S. H. Smith, *First Forty Years in Washington* (New York, 1906). See p. 48.



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still. To apply principle to practice; to ally tradition with progress; to stand squarely upon one's feet, yet to see a little ahead; to refuse to bar the door to truth, though consistency fly out the window—these are the lessons statesmen need most to learn if they would serve the State and survive the time; and Mr. Jefferson had studied all their actual requirements and marked all their moral lessons.<sup>3</sup>

Yet, after all, the student finds no real inconsistency in Jefferson's statements of opinion in regard to the press. His concept of the newspaper's function with relation to government was a basic principle to which Jefferson held fast to the end of his life, despite all that he suffered personally from the press. The appearance of inconsistency comes from his growing attitude of disapproval of the American newspapers of his times—an attitude which those of us who scan the columns of the bigoted partisan press of the early nineteenth century can only approve, though we may deprecate the unphilosophic excess of the aged statesman's philippics against his enemies. The fact is that Jefferson adhered to the principle, but was deeply disappointed in the performance, of a free press.

To bring together in epitome Jefferson's philosophy of the press and to recount briefly his experiences with the newspapers of his time is the purpose of this little book. Such a task is the more necessary because Jefferson saw and stated more clearly than any other writer the importance of the press in a democratic society.

<sup>3</sup> Quoted from a letter to the author, in William Eleroy Curtis, *The True Thomas Jefferson* (Philadelphia, 1901), p. 8.

## II

### THE BASIC PRINCIPLES

**T**HOMAS JEFFERSON was perhaps the leading example in our political history of that uncomfortable phenomenon—the practical idealist. Idealism is all very well while it sticks to the ideal plane; but when it ventures into the realm of practical affairs, it may soon acquire a limp and a discouraged expression. And yet it is only in these higher concepts and aims that we discover meaning for the activities of men and institutions.

All Jefferson's manifold activities—in statesmanship and politics, in agriculture, in education, in architecture, and so on—were based primarily upon his idealistic principles. Even his errors, which were doubtless many and sometimes grave, must always be considered in relation to these central theories of his. It was because of the importance of basic generalizations in his thinking and doing that his own contemporaries referred to him as a philosopher and that we apply the term to him today.

His political philosophy was founded largely on the back-to-nature principles of the French liberals of his times and on distinctively American ideas of the importance of individuals in a comparatively decentralized society. It was Jefferson's belief that the man was more important than the government; that men could, indeed, get along with a minimum of government if

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they were enlightened and informed. European tyranny, with its corollary in the poverty and miseries of the masses of oppressed peoples which he had himself observed firsthand, was a form of overcentralized government which could be corrected only by an enlightened proletariat.

From this basis sprang his conviction that newspapers, as bearers of such enlightenment, constitute a proper auxiliary to government and are thus a vital part of the democratic system. Perhaps this is stated as well in the letter to Edward Carrington as anywhere else; the whole of the paragraph merits the most careful reading:

. . . The people are the only censors of their governors; and even their errors will tend to keep these to the true principles of their institution. To punish these errors too severely would be to suppress the only safeguard of the public liberty. The way to prevent these irregular interpositions of the people [such as Shays's Rebellion] is to give them full information of their affairs through the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people. The basis of our governments being the opinion of the people, the first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers, and be capable of reading them. I am convinced that those societies (as the Indians) which live without government, enjoy in their general mass an infinitely greater degree of happiness than those who live under the European governments. Among the

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former, public opinion is in the place of law, and restrains morals as powerfully as laws ever did anywhere. Among the latter, under pretence of governing, they have divided their nations into two classes, wolves and sheep. . . . This is a true picture of Europe. Cherish, therefore, the spirit of our people, and keep alive their attention. Do not be too severe upon their errors, but reclaim them by enlightening them.<sup>1</sup>

The part of this remarkable pronouncement which is commonly quoted is the declaration: “. . . were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate to prefer the latter.” This was no mere epigram, no rhetorical flourish. Jefferson sincerely believed that established government was far less necessary to the general happiness than the enlightenment of the people. He was convinced that, government or no government, once the people understood the facts, they would know what to do about them.

This makes the press, in the Jeffersonian doctrine, a special check upon government. Jefferson was very insistent on this function of the press. During the dispute over Freneau's *Gazette*, he wrote to President Washington, his chief: “No government ought to be without censors; and where the press is free, no one ever will.”<sup>2</sup> And many years later, he wrote to a French correspondent concerning the newspaper press: “This formidable censor of the public functionaries, by ar-

<sup>1</sup> January 16, 1787. Andrew A. Lipscomb, editor-in-chief, *The Writings of Thomas Jefferson*, 20 vols. (Washington, 1903-1904), Vol. VI, pp. 57-58.

<sup>2</sup> September 9, 1792. *Ibid.*, Vol. VIII, p. 406.

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raigning them at the tribunal of public opinion, produces reform peaceably, which must otherwise be done by revolution.”<sup>3</sup>

Liberty of the press is, of course, an essential corollary of the importance of the press in government; and Jefferson seldom missed an opportunity to declare his stand for that liberty which, as he once declared, “guards our other liberties.”<sup>4</sup> Commonly, in both early and late statements, he added a provision for the control of libel by state governments. So it was in his proposed Virginia Constitution of 1776, so in the Kentucky Resolutions, so in many letters. A typical expression is found in one of his letters to that faithful and brilliant correspondent Abigail Adams:

While we deny that Congress have a right to control the freedom of the press, we have ever asserted the right of the States, and their exclusive right, to do so. They have accordingly, all of them, made provisions for punishing slander. . . . In general, the State laws appear to have made the presses responsible for slander as far as is consistent with its useful freedom. In those States where they do not admit even the truth of allegations to protect the printer, they have gone too far.<sup>5</sup>

A prolific letter writer, Jefferson sometimes—though not as frequently as might be expected—made careless or unqualified statements which may be misleading to the unwary. Such was an expression in a letter of 1786 to Dr. James Currie: “Our liberty depends on the free-

<sup>3</sup> To M. Coray, October 31, 1823. *Ibid.*, Vol. XV, p. 489.

<sup>4</sup> Address to Philadelphia Delegates, May 25, 1808. *Ibid.*, Vol. XVI, p. 304.

<sup>5</sup> September 11, 1804. *Ibid.*, Vol. XI, pp. 51-52.

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dom of the press, and that cannot be limited without being lost.”<sup>6</sup> Jefferson’s position on the proper limitations of press freedom by libel laws is so clear that it would scarcely be necessary to call attention to the unphilosophic and dangerous remark to Dr. Currie except that its quotable form has given it a considerable currency. Absolute, or unlimited, liberty in any field of behavior is, of course, license, and cannot be tolerated in any civilized society. It must always be limited by the rights of others, and by common decency. Perhaps it was Jefferson’s literary sense that played the philosopher false in this instance, and the facility of his epigram misled him. At any rate, he neglected, for once, to qualify.

Consistently, to the end of his life, Jefferson maintained his testimony on the two major principles of his attitude toward the press—the essential nature of its service to the democratic system, and the necessity of its freedom in order to perform that work. He was fond of combining the two principles in one compact statement, as in a memorable sentence contained in a letter to Charles Yancey: “Where the press is free, and every man able to read, all is safe.”<sup>7</sup> This was his life-long philosophy of the press.

<sup>6</sup> January 18, 1786. Paul Leicester Ford, ed., *The Writings of Thomas Jefferson*, 10 vols. (New York, 1898), Vol. IV, p. 132.

<sup>7</sup> January 6, 1816. Lipscomb, *Writings of Jefferson*, Vol. XIV, p. 384.

### III

## THE CONSTITUTIONAL GUARANTY

WHILE STILL a member of Congress, Jefferson prepared and submitted to the Virginia Convention a Constitution for the State, suitable to its new status of independence from Great Britain. In this statement the following declaration appears: "Printing presses shall be free, except so far as, by commission of private injury, cause shall be given for private action."<sup>1</sup> This was designed to abolish not only all licensing, of any kind whatsoever, but also all actions for either seditious or criminal libel against printers or authors. It is especially interesting as a prelude to the debate over the desirability of a guaranty of liberty of the press in the Federal Constitution twelve years later.

Jefferson was in France representing the United States as Minister Plenipotentiary to that country during the period of the Federal Convention and the public discussion of the Constitution which it submitted to the States. Nevertheless, he took some part, by correspondence, in that great debate.

The doors of the Convention were carefully closed to the press, and great pains were taken to prevent reports of its proceedings from reaching the public through the newspapers. The most important of Amer-

<sup>1</sup> June, 1776. Ford, *Writings of Jefferson*, Vol. II, p. 27.

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ican gatherings was thus unreported in the press, and this without any emphatic objection on the part of the papers themselves. Said a Philadelphia paper :

Such circumspection and secrecy mark the proceedings of the Federal Convention that the members find it difficult to acquire the habit of communciation even among themselves, and are so cautious in defeating the curiosity of the Public that all debate is suspended upon the entrance of their own inferior Officers. Though we readily admit the propriety of excluding an indiscriminate attendance upon the discussions of this deliberative Council, it is hoped that the privacy of their Transactions will be an additional motive for dispatch, as the anxiety of the People must be necessarily increased by every appearance of mystery in conducting this important Business.<sup>2</sup>

Censorship is ever the mother of rumor; and there were wild reports of how the Convention was planning to set up a king, to divide the States into three separate republics, to expel Rhode Island from the Union.<sup>3</sup>

The want of a complete transcript of the debates in the Convention, official or journalistic, must always be deplored by students of the Constitution. The notes of Madison and Yates are incomplete. The best source for the reasons which caused the Convention to omit a Bill of Rights, and thereby all guaranty of liberty of the press, is in the *Federalist* papers. There it was asserted that the term "the Liberty of the Press" was too vague to have any practicable meaning, and that high-sound-

<sup>2</sup> *Pennsylvania Herald*, June 2, 1787.

<sup>3</sup> *New Jersey Journal*, June 20, 1787; *Pennsylvania Gazette*, June 27, 1787; *New York Packet*, June 15, 1787.



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ing declarations about it would therefore be utterly ineffective:

What signifies a declaration that "the Liberty of the Press shall be inviolably preserved"? What is the Liberty of the Press? Who can give it any definition that does not leave the utmost latitude for evasion? I hold it to be impracticable; and from this I infer, that its security, whatever fine declarations may be inserted in any Constitution respecting it, must altogether depend upon public opinion, and on the general spirit of the people and of the Government.<sup>4</sup>

Such were the ideas and such the words of Alexander Hamilton. It would be very wrong to infer from this paragraph that its author was opposed to full and reasonable liberty of the press. No student of the career and writings of Hamilton could think that. No; liberty is indeed difficult to define, and declarations about it are often mere rhetoric. There was real point in Hamilton's contention.

[Both Hamilton and Jefferson, sincere and able advocates of opposed political doctrines in a formative and highly controversial period, had many and intimate relations with the newspapers; but their attitudes and careers in the journalistic field were as different as were their minds and characters.]

Hamilton, whom Jefferson called the Colossus of the Federalist party,<sup>5</sup> was a realist who, taking newspapers as he found them, used them to his own advantage, to the advantage of his party, and in some cases to the dis-

<sup>4</sup> *The Federalist*, LXXXIV.

<sup>5</sup> To Madison, September 21, 1795. Lipscomb, *Writings of Jefferson*, Vol. IX, p. 309.

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tinct advantage of the papers themselves. He was himself a journalist. It was a boyish contribution to a newspaper which first brought him to the notice of rich and powerful friends and put him in the way of a good education. While still a student at King's College (now Columbia University) he wrote cogently for the press on political topics. In the *Federalist* series, he furnished to the papers political dissertations which became classic in our literature. Associated at one time and another with various papers, he was the chief founder of one of the greatest of them—the New York *Evening Post*. He was always an advocate of freedom of the press; and in his speech in the Croswell case he set forth the principle that the truth, when published for good motives, should be permitted as a defense in a prosecution for criminal libel. This "Hamiltonian Doctrine" was almost immediately enacted into law in New York; and eventually most of the States introduced it either into their constitutions or into statutory law.

Such are the main currents in Hamilton's relations with journalism. It will be seen as we proceed that they frequently run counter to the attitudes and activities of Jefferson with respect to the press.

In the matter of a Bill of Rights in the Constitution, there was immediate difference of opinion between the two leaders. Jefferson, alarmed—as he tells us in his memoirs—by the omission of a declaration of fundamental popular rights, at once wrote protesting letters to several of his friends in America. One addressed to Madison presents his views most succinctly:

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I do not like . . . the omission of a bill of rights, providing clearly, and without the aid of sophism, for freedom of religion, freedom of the press, protection against standing armies, restriction of monopolies, the eternal and unremitting force of the habeas corpus laws, and trials by jury in all matters of fact triable by the laws of the land, and not by the laws of nations. To say, as Mr. Wilson<sup>6</sup> does, that a bill of rights was not necessary, because all is reserved in the case of the general government which is not given, while in the particular ones, all is given which is not reserved, might do for the audience to which it was addressed; but it is surely a *gratis dictum*, . . . opposed by strong inferences from the body of the instrument, as well as from the omission of the clause of our present Confederation, which had made the reservation in express terms.<sup>7</sup>

The debate on the free press guaranty may be summed up in two sentences. Hamilton, Wilson, and others contended that since the Federal government had no powers which were not expressly delegated under the Constitution, there was no need for a provision denying to it any control over the press. Jefferson, Melancton Smith, and others argued that without an express guaranty of the liberty of the press the Federal government might, through implied powers, seek to control the press.<sup>8</sup> When we reflect upon the number

<sup>6</sup> James Wilson, of Pennsylvania, one of the most influential men in the Convention, later appointed by Washington to the Supreme Court.

<sup>7</sup> December 20, 1787. Lipscomb, *Writings of Jefferson*, Vol. VI, pp. 387-88.

<sup>8</sup> See Jonathan Elliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, 5 vols. (Philadelphia, 1901), Vol. IV, p. 545 *et passim*.

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of times the first amendment to the Constitution has been cited by the Supreme Court against attempted assaults upon the proper liberties of the press, we must admit that time has shown the necessity of that guaranty.

After the terms of acceptance of the Constitution by the several States had made a Bill of Rights necessary as a series of amendments to the instrument, Madison was intrusted with the responsibility of drawing them up. To him Jefferson suggested the following wording for the one dealing with freedom of speech and the press:

The people shall not be deprived of their right to speak, to write, or *otherwise* to publish anything but false facts affecting injuriously the life, liberty, or reputation of others, or affecting the peace of the confederacy with other nations.<sup>9</sup>

He declared himself moderately satisfied, however, with Madison's strong and inclusive statement which leaves libel to the States—those fourteen words which constitute the palladium of the liberty of the press: "Congress shall make no law . . . abridging the freedom of speech or of the press."

<sup>9</sup> August 28, 1789. Lipscomb, *Writings of Jefferson*, Vol. VII, p. 450.

## IV

### THE NATIONAL GAZETTE

**T**HE FIRST PRESIDENTIAL Cabinet was never a happy or harmonious official family. Secretary of State Jefferson sharply opposed Secretary of the Treasury Hamilton on nearly every issue that came up. They were pitted against each other in Cabinet meetings, as Jefferson later remarked, "like two fighting cocks." It was natural, then, that as the two-party system developed from fundamental differences of opinion in Congress and the press, these two Cabinet members should come to be regarded as party leaders—Hamilton of the party in power, the Federalists; and Jefferson of the opposition, commonly called by the name that their leader himself preferred, Republicans.

Now, the Federalists had a newspaper organ, established shortly before government was begun under the new Constitution. It was John Fenno's *Gazette of the United States*, and by its own declaration it had been a government organ from the first. Fenno intended "to hold up the people's own government, in a favorable point of light—and . . . by every exertion, to endear the GENERAL GOVERNMENT TO THE PEOPLE."<sup>1</sup> With the development of parties, Republican leaders began hurriedly to survey the possibilities for the establishment of an organ of their own. There can

<sup>1</sup> *Gazette of the United States*, April 27, 1791.

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be no doubt whatever that Jefferson was much concerned about this matter. He wrote to his son-in-law Thomas M. Randolph that Fenno's *Gazette* was "a paper of pure Toryism, disseminating the doctrines of monarchy, aristocracy, and the exclusion of the influence of the people."<sup>2</sup>

Madison suggested his friend and former classmate at Princeton, Philip Freneau, as a man who might be induced to come to Philadelphia and start an opposition paper. Freneau was a poet and a wit, a brilliant writer, and a journalist of some little experience. He had served the Revolutionary cause at sea, and had suffered in the British prison-ships. He was now employed on the New York *Daily Advertiser*, and though his financial resources were in the condition sometimes described as "slender," everyone knew that it did not take much money to start a newspaper. But Freneau at first rejected the proposal, and it was thought that a small government appointment might encourage him.

Jefferson already knew something of Freneau, who had been an applicant for a clerkship in the Department of State while the capital was still in New York. But there were only four clerkships in the Department, and they were filled at that time. When the government was moved to Philadelphia, however, John Pintard, the translating clerk, preferred to stay behind; his appointment was apparently for part-time work. Jefferson accordingly wrote to Freneau:

The clerkship for foreign languages in my office is vacant. The salary, indeed, is very low, being but two

<sup>2</sup> May 15, 1791. Ford, *Writings of Jefferson*, Vol. V, p. 336.

hundred and fifty dollars a year; but also, it gives so little to do, as not to interfere with any other calling the person may choose, which would not absent him from the seat of government. I was told a few days ago, that it might perhaps be convenient to you to accept it. If so, it is at your service. It requires no other qualification than a moderate knowledge of the French. Should anything better turn up within my department that might suit you, I should be very happy to be able to bestow it so well. Should you conclude to accept the present, you may consider it as engaged to you, . . .<sup>3</sup>

When Jefferson had to defend this appointment to President Washington the next year, he laid much emphasis upon his wish "to have the material parts of the *Leyden Gazette* brought under your eye, and that of the public, in order to possess yourself and them of a juster view of the affairs of Europe than could be obtained from any other public source." He had tried, he said, to get Fenno to publish Pintard's translations from this great European journal and had later attempted a similar scheme with Bache's *General Advertiser*; but he was not very successful in either case. Since Freneau was to be paid to make the translations, and was planning to publish a paper of his own, Jefferson thought that a public service might be rendered by such a combination. To that end, he expressed his wish to Freneau that the *Leyden Gazette* reports should be published; but, he protested to Washington, he went no further in suggesting what should be printed in Freneau's paper.<sup>4</sup> This *Leyden Gazette* excuse seems somewhat less than

<sup>3</sup> February 28, 1791. Lipscomb, *Writings of Jefferson*, Vol. VIII, p. 133.

<sup>4</sup> To Washington, September 9, 1792. *Ibid.*, pp. 402-403.

frank, in view of the unmistakable interest that Jefferson had in the establishment of a Republican organ in the capital. The Secretary had written to his son-in-law in the summer of 1791: "We have been trying to get another *weekly* or *half weekly* paper set up excluding advertisements,<sup>5</sup> so that it might go through the states, and furnish a whig vehicle of intelligence. We hoped at one time to have persuaded Freneau to set up here, but failed." <sup>6</sup> It is clear that Jefferson's explanation to Washington was a fairly transparent "alibi."

Freneau accordingly set up his paper, the *National Gazette*, in Philadelphia, issuing its first number on October 21, 1791. Jefferson gave it the publication of official notices from his Department; and like many other papers, it was paid for publishing the Acts of Congress. Party leaders, including Jefferson,<sup>7</sup> made some efforts to secure subscriptions for it; and the Secretary exults, in a letter to Randolph late in 1792, that "Freneau's paper is getting into Massachusetts, under the patronage of Hancock; and Samuel Adams, . . ." <sup>8</sup> The paper may have received cash loans or gifts from Madison and General Henry Lee,<sup>9</sup> but none, so far as is known, from Jefferson himself.

Captain Freneau was a bold and fearless editor; and his criticisms of the Administration, though at first comparatively mild, kindled blazing wrath in the bosoms of the Federalists. He was also a practiced satirist;

<sup>5</sup> Fenno's paper at this time excluded advertising.

<sup>6</sup> May 15, 1791. Ford, *Writings of Jefferson*, Vol. V, p. 336.

<sup>7</sup> To Washington. Lipscomb, *Writings of Jefferson*, Vol. VIII, p. 405.

<sup>8</sup> November 16, 1792. *Ibid.*, p. 440.

<sup>9</sup> James Parton, *The Life of Thomas Jefferson* (Boston, 1874), p. 433.



and after the controversy warmed up, he indulged too much in personal invective and lampoons unsuitable to the high matters discussed. At length Fenno, doubtless at Hamilton's suggestion, raised the question of the morality of Jefferson's sponsorship of a paper which attacked the Administration of which he was himself a member. Whereupon Freneau published a sworn affidavit:

That no negotiation was ever opened with him by Thomas Jefferson, Secretary of State, for the establishment or institution of the National Gazette; that the deponent's coming to the city of Philadelphia as the publisher of a newspaper was at no time urged, advised or influenced by the above officer, but that it was his own voluntary act; that the Gazette or the Editor thereof was never directed, controlled or attempted to be influenced in any manner either by the Secretary or any of his friends; that not a line was ever directly or indirectly written, dictated or composed for it by that officer, but that the Editor has consulted his own judgment alone in conducting it—free, unfettered and uninfluenced.<sup>10</sup>

Hamilton made an effort to uncover evidence by which he could demonstrate that Freneau had perjured himself in this affidavit,<sup>11</sup> but he was unsuccessful. Jefferson, however, thought it expedient to write a long letter of explanation to his chief about his connection

<sup>10</sup> Samuel E. Forman, "The Political Activities of Philip Freneau," in Johns Hopkins University *Studies in Historical and Political Science*, Vol. XX, Nos. IX-X, p. 56.

<sup>11</sup> From Elisha Boudinot, August 16, 1792. John C. Hamilton, ed., *The Works of Alexander Hamilton*, 7 vols. (New York, 1850-51), Vol. V, p. 520.

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with Freneau. After enlarging upon the Leyden *Gazette* matter, as has been explained, he added:

But as to any other direction or indication of my wish how his press should be conducted, what sort of intelligence he should give, what essays encourage, I can protest, in the presence of heaven, that I never did by myself, or any other, or indirectly, say a syllable, nor attempt any kind of influence. I can further protest, in the same awful presence, that I never did, by myself, or any other, directly or indirectly, write, dictate or procure any one sentence or sentiment to be inserted *in his, or any other gazette*, to which my name was not affixed or that of my office. I surely need not except here a thing so foreign to the present subject as a little paragraph about our Algerine captives, which I put once into Feno's paper.

Jefferson went on to defend his appointment on the basis of Freneau's character as "a man of genius," and then concluded his letter with his famous declaration, already quoted: "No government ought to be without censors; and where the press is free, no one ever will." <sup>12</sup>

Some months later, during a call which Jefferson made at the presidential office, Washington became "sore and warm" about the Freneau matter. The Secretary wrote in his diary:

I took his intention to be, that I should interpose in some way with Freneau, perhaps withdraw his appointment as translating clerk to my office. But I will not do it. His paper has saved our Constitution, which was galloping fast into Monarchy, and has been checked

<sup>12</sup> September 9, 1792. Lipscomb, *Writings of Jefferson*, Vol. VIII, pp. 403-404; 406.

by no one means so powerfully as by that paper. It is well and universally known, that it has been that paper which has checked the career of the monocrats; and the President, not sensible of the designs of the party, has not with his usual good sense and *sang froid*, looked on the efforts and effects of this free press, and seen that, though some bad things have passed through it to the public, yet the good have preponderated immensely.<sup>13</sup>

It was at a Cabinet meeting ten weeks later, as Jefferson records in his *Anas*, that President Washington flew into a passion about a lampoon which had appeared in the *National Gazette*. It was a violent and somewhat amusing episode :

The President was much inflamed; got into one of those passions when he cannot command himself; ran on much on the personal abuse which had been bestowed on him; defied any man on earth to produce one single act of his since he had been in the Government, which was not done on the purest motives; that he had never repented but once the having slipped the moment of resigning his office, and that was every moment since; that *by God* he had rather be in his grave than in his present situation; that he had rather be on his farm than to be made *Emperor of the world*; and yet that they were charging him with wanting to be a King. That that *rascal Freneau* sent him three of his papers every day, as if he thought he would become the distributor of his papers; that he could see in this, nothing but an impudent design to insult him : he ended in this high tone.<sup>14</sup>

<sup>13</sup> May 23, 1793. *Ibid.*, Vol. I, p. 353.

<sup>14</sup> August 2, 1793. *Ibid.*, p. 382.

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After a hectic life of two years, Freneau's *National Gazette* was discontinued. Jefferson had resigned from the Cabinet, and with him had gone the mooted clerkship in the State Department. Philadelphia was in the throes of a terrible yellow fever epidemic. In addition to these afflictions, the subscribers to the *Gazette* were slow in paying their arrearages. Jefferson wrote to his son-in-law: "I wish the subscribers in our neighborhood would send in their money."<sup>15</sup> But all appeals were in vain, and the paper died for lack of support.

<sup>15</sup> November 2, 1793. Ford, *Writings of Jefferson*, Vol. VI, p. 428.

## V

### SUB ROSA

THERE IS A POSTSCRIPT to the story of Jefferson's relations with the *National Gazette* in the memoirs of a notorious gossip who flourished in the following generation. Rufus Wilmot Griswold, editor and anthologist, once made a statement <sup>1</sup> to the effect that Dr. John W. Francis, anecdotist of old New York, once said to him that Freneau, in his old age, had told him that Jefferson really had written many of those articles in the *National Gazette* to which Washington had objected. Griswold's reputation for unreliability <sup>2</sup> makes the discriminating reader skeptical of this bit of gossip, and Professor Forman's analysis of it <sup>3</sup> would seem to have disposed of it forever. But it keeps cropping up, after the manner of such *sub rosa* tittle-tattle.

There would be less encouragement for this kind of talk about Jefferson if he had been more frank and outspoken in his political activities. Bold though he was in his enunciation of his basic doctrines of society and government, his participation in practical politics led him to veiled and disguised procedures. The philosopher was impelled to learn the less admirable arts of the politician.

<sup>1</sup> *Passages from the Correspondence of Rufus W. Griswold* (Cambridge, 1898), p. 260.

<sup>2</sup> His canards with regard to Poe are notorious in literary history.

<sup>3</sup> Forman, "The Political Activities of Philip Freneau," in *loc. cit.*, pp. 99-101.

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Jefferson apparently attempted to keep his ventures in this chess game of counterinfluences—his efforts at vote-getting, his play of one man against another, his management of both public and personal pressures—under cover and secret. Few public men have ever been more industrious letter writers, and much of his correspondence was punctuated by pleas for secrecy. It is as though he felt a certain dichotomy in his political career—a cleavage between the Jefferson of history, and, on the other hand, Jefferson the political manager, whose smaller intrigues, necessary though they seemed at the time, were more or less distasteful and might better be private and easily forgotten.

This secretive characteristic has sometimes been condemned by writers upon Jefferson's career and personality, and with some appearance of justice. Yet one must consider the nature and necessities of practical politics. Is there a moral question involved? Jefferson wrote De Foronda that he had always acted in good faith, "having never believed that there was one code of morality for a public, and another for a private man."<sup>4</sup> One cannot fully understand this technique of almost furtive secrecy without an appreciation of Jefferson's native sensitiveness, his dislike of brawling, his preference for calm interchange of opinion. "The way to make friends quarrel," he once wrote to Washington, "is to put them in disputation under the public eye."<sup>5</sup> A fighter like Andrew Jackson puts all his cards on the table and openly challenges all opponents; a Jef-

<sup>4</sup> October 4, 1809. Lipscomb, *Writings of Jefferson*, Vol. XII, p. 321.

<sup>5</sup> April 16, 1784. *Ibid.*, Vol. IV, p. 217.

person must employ a more subtle course of conduct.

Here is the chief difference between Alexander Hamilton's journalism and that of Jefferson. [Hamilton wrote for the papers as openly as the customs of the time allowed, and was well known to have had a hand in the establishment of three or four of them. Jefferson wrote scarcely anything directly for the papers; and when he procured the insertion of anything, he did it by oblique methods.]

For many years after his relations with the *National Gazette*, Jefferson was fond of declaring that he never wrote a line for the newspapers. Sometimes he added an exception: "without subscribing my name."<sup>6</sup> By this he unquestionably referred to official papers of one kind or another, since these were the only signed pieces which appeared in the newspapers of the period. He made such a declaration to Washington in the letter concerning his relations to Freneau, already quoted; and he repeated it in another letter after he had left the Cabinet.<sup>7</sup> A little later he wrote to Samuel Harrison Smith, lately of the Philadelphia *New World*, who had evidently been urging him to reply to certain personal calumnies in the papers: "At a very early period in my life I determined never to put a sentence into any newspaper. I have religiously adhered to the resolution through my life, and have great reason to be contented with it."<sup>8</sup> There are many similar statements in Jefferson's letters; one other may be quoted: "I only

<sup>6</sup> To Edmund Randolph, September 17, 1792. *Ibid.*, Vol. VIII, p. 411.

<sup>7</sup> June 19, 1796, Vol. IX, p. 340.

<sup>8</sup> August 22, 1798. *Ibid.*, Vol. X, p. 58.

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pray that my letter may not go out of your own hands, lest it should get into the newspapers, a bear-garden scene into which I have made it a point to enter on no provocation.”<sup>9</sup>

That Jefferson sometimes suggested to others the necessity of getting things into the papers is, however, undeniable. The outstanding example is found in his letter begging Madison to write a reply to Hamilton's papers in the *American Minerva*. “For God's sake,” he implored, “take up your pen, and give a fundamental reply to Curtius and Camillus.”<sup>10</sup>

In his latter years, moreover, Jefferson in a few instances relaxed his rule against contributions to the newspapers. In 1817 he wrote a piece for the Richmond *Enquirer* about his college project.<sup>11</sup> In transmitting the article to Editor Ritchie, he said it was “disguised as to its source, because I am willing to give to cavillers no hold to draw me personally into contest before the public.”<sup>12</sup> Some years later he used a similar subterfuge, suggesting to Ritchie the phraseology of a statement to be published “in a form not importing to come directly from myself.”<sup>13</sup> In May, 1822, having been aroused to an unusual degree by the charges of an anonymous writer in the Baltimore *Federal Republican* to the effect that he had been guilty of peculations from the government while President, he was provoked to a reply believed to be unique in his career: he wrote a

<sup>9</sup> To Uriah Gregory, August 13, 1800. *Ibid.*, pp. 172-73.

<sup>10</sup> September 21, 1795. *Ibid.*, Vol. IX, p. 311.

<sup>11</sup> Published September, 1817.

<sup>12</sup> August 28, 1817. Library of Congress MS collection.

<sup>13</sup> January 7, 1822. Ford, *Writings of Jefferson*, Vol. X, p. 203.



signed answer for the *Enquirer*.<sup>14</sup> But the next month he had to write another letter answering his assailant's rejoinder.<sup>15</sup> The critic was not silenced even then, and Jefferson must have thought that it had not been worth the wear on his faithful quill pen to enter the ink-spattered arena. In transmitting the second letter to the *Enquirer*, he wrote with dignity, however, that he had "thought it due to myself and respectful to public opinion to explain this case authentically, and under my own signature."<sup>16</sup>

What has been the practice of later Presidents in regard to contributions to the press? The rule against such participation in journalism has been generally observed during incumbency, and sometimes after retirement, in the interests of the dignity and respect due the office of Chief Magistrate. But the custom of interviewing which grew up after the Civil War and the institution of press conferences have nevertheless given Presidents admission to the columns of newspapers. These developments have permitted the employment of many indirect and oblique techniques of presidential statement which have served political purposes similar to those which Jefferson achieved by his methods of occasional suggestion to friendly journalists. Some such access to the newspapers—beyond the news of official messages and public addresses—would seem to be a necessity of the presidential office.

<sup>14</sup> See letter to Ritchie and Gooch, editors, May 13, 1822. Lipscomb, *Writings of Jefferson*, Vol. XV, pp. 365-70; *Enquirer*, May 17, 1822.

<sup>15</sup> June 10, 1822. Lipscomb, *Writings of Jefferson*, Vol. XV, pp. 374-82; *Enquirer*, June 18, 1822.

<sup>16</sup> June 10, 1822. Library of Congress MS collection.

## VI

### THE SEDITION ACT

AFTER THE DEMISE of the *National Gazette*, its place as the chief Republican organ was taken by young Benjamin Franklin Bache's Philadelphia *Aurora*. Bache, a grandson of Benjamin Franklin, gay, impetuous, so ardent in the cause as to lack judgment on many occasions, lost prestige and business when in 1796 he attacked Washington directly. Early in 1798, Jefferson exerted himself to enlist subscribers for him and for Mathew Carey, whose short-lived *United States Recorder* was at the moment making a bid for Republican support. "That [Bache's] paper and also Carey's," wrote Jefferson to Madison, "totter for want of subscriptions. We should really exert ourselves to procure it for them, for if these papers fall, Republicanism will be entirely browbeaten."<sup>1</sup>

Carey's paper did fall, and that before the year was out. Bache was indicted for criminal libel upon President Adams just before the enactment of the Sedition Act of 1798, but he died in the yellow fever epidemic before he was brought to trial.

The Sedition Act was passed in the summer of 1798, when war with France was imminent and it was believed by many that seditious utterances should be curbed as a wartime measure. The chief reason for the Act, how-

<sup>1</sup> April 26, 1798. Lipscomb, *Writings of Jefferson*, Vol. X, p. 32.

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ever, was undeniably the angry determination of the Federalist majority in Congress to stop the pens of scurrilous and abusive writers in the minority press. The law provided that any person convicted of writing, printing, or uttering any "false, scandalous and malicious" statement "against the Government of the United States, or either house of the Congress of the United States, or the President of the United States, with intent to defame . . . or to bring them . . . into contempt or disrepute" should be imprisoned not over two years and pay a fine not exceeding two thousand dollars.

An interesting feature of the Act was a double provision which had been urged upon its authors by Hamilton, who, arch-Federalist though he was, disapproved the measure because he thought it might "establish a tyranny." This provision made it possible for the accused to plead the truth in defense, and for the jury to determine both law and fact. These were precisely the points which had carried the day in the famous Zenger trial many years before, but which had not taken root in the common law. They gave the Federalists a saving argument when the law was attacked; but, as a matter of fact, the difficulty of establishing truth was often great, and the threat of prosecution was intended to operate as a gag. "The traverser must prove every charge to be true: he must prove it to the marrow," said Judge Chase in one of the trials under the Act.<sup>2</sup> It is clear that the basic purpose of the law was to muz-

<sup>2</sup> Francis Wharton, *State Trials of the United States During the Administrations of Washington and Adams* (Philadelphia, 1849), p. 676.

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zle the opposition press and to prevent criticism of the Federalist Administration.

Jefferson, already a recognized candidate for the presidency, had here an issue ready-made for his talents and his ideology; in passing the Sedition Act the Federalists had challenged the doctrine of liberty of the press, and thus the whole Jeffersonian theory of government by democratic enlightenment.

He had seen it coming. As early as April 26, 1798, he had written to Madison: "There is now only wanting . . . a sedition bill, which we shall certainly soon see proposed. The object of that, is the suppression of the Whig presses."<sup>3</sup> Jefferson considered this Act as a test violation of the Constitution, to see if other and greater usurpations of power could be attempted safely.<sup>4</sup> For presentation in the Kentucky legislature by Republican friends, he prepared a series of statements in regard to the Alien and Sedition Acts which came to be known as the Kentucky Resolutions. Jefferson's authorship was carefully kept secret, but the document became his platform in the ensuing presidential campaign. In it he argued the constitutional question, and concluded that the Sedition Act "is not law, but is altogether void, and of no force."<sup>5</sup>

There were some twenty-five arrests under the Sedition Act, fifteen indictments, and eleven trials resulting in ten convictions. This campaign of intimidation was supplemented by a number of actions under the common

<sup>3</sup> Lipscomb, *Writings of Jefferson*, Vol. X, p. 32.

<sup>4</sup> To Stephens Thompson Mason, October 11, 1798. *Ibid.*, pp. 61-62.

<sup>5</sup> Third Resolution. *Ibid.*, Vol. XVII, p. 382.

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law of seditious libel, which yielded five more convictions. Only eight of the total fifteen convictions were for statements in newspapers, the others having to do with slander, handbills, pamphlets, etc.

William Duane, Bache's successor as editor of the *Aurora*, dipped his pen in vitriol quite as often as his predecessor had; and several actions against him under the Sedition Act were pending when the law expired. Matthew Lyon, a Vermont editor, was convicted under the Act, though not for anything published in his own paper. Charles Holt, of the *New London Bee*, and William Durell, of the *Mt. Pleasant Register*, were other newspaper sufferers under this law.

James Thomson Callender, an English refugee with a special talent for digging up scandals, had fled from Philadelphia upon the enactment of the Alien and Sedition Acts and attached himself, as a contributor, to the *Richmond Examiner*. In Richmond he wrote a pamphlet called *The Prospect Before Us*, containing unmeasured abuse of President Adams; for this he was indicted and tried before the bullying Judge Samuel Chase, who has been called "probably the most violent partisan who ever sat upon a bench."<sup>6</sup> Convicted, he was fined two hundred dollars and sent to jail.

Jefferson, who had been impressed with Callender's talents as a writer when he first came to this country from England, had kept up some acquaintance and correspondence with him for a few years. Jefferson wrote

<sup>6</sup> Frederick Trevor Hill, *Decisive Battles of the Law* (New York, 1907), pp. 1-26. Chase was later tried before the United States Senate on impeachment for his behavior in the Callender trial and narrowly escaped removal.

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to Monroe after Callender's indictment urging that the Republican scribbler should be "substantially defended," <sup>7</sup> even to the extent of an appropriation by the Virginia legislature. But such help, and in addition many personal gifts sent in response to begging letters, were all forgotten when Jefferson, after becoming President, refused to appoint Callender to be Richmond postmaster. Let President Jefferson tell the story:

I am really mortified at the base ingratitude of Callender. It presents human nature in a hideous form. It gives me concern, because I perceive that relief, which was afforded him on mere motives of charity, may be viewed under the aspect of employing him as a writer. When the *Political Progress of Britain* first appeared in this country, it was in a periodical publication called the *Bee*, where I saw it. I was speaking of it in terms of strong approbation to a friend in Philadelphia, when he asked me if I knew that the author was then in the city, a fugitive from prosecution on account of that work, and in want of employ for his subsistence. This was the first of my learning that Callender was the author of the work. I considered him as a man of science fled from persecution, and assured my friend of my readiness to do whatever could serve him. It was long after this before I saw him; probably not till 1798. He had, in the meantime, written a second part of the *Political Progress*, much inferior to the first, and his *History of the United States*. In 1798, I think, I was applied to by Mr. Lieper to contribute to his relief. I did so. In 1799, I think, S. T. Mason applied for him. I contributed again. He had, by this time, paid me two or three personal visits. When he fled in a panic from Philadelphia to General Mason's, he wrote to me that he was

<sup>7</sup> May 26, 1800. Ford, *Writings of Jefferson*, Vol. VII, p. 448.

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a fugitive, in want of employ, wished to know if he could get into a counting-house or a school, in my neighborhood or in that of Richmond; that he had materials for a volume, and if he could get as much money as would buy the paper, the profit of the sale would be all his own. I availed myself of this pretext to cover a mere charity, by desiring him to consider me a subscriber for as many copies of his book as the money enclosed (fifty dollars) amounted to; but to send me two copies only, as the others might lay till called for. But I discouraged his coming into my neighborhood. His first writings here had fallen far short of his original Political Progress, and the scurrilities of his subsequent ones began evidently to do mischief. As to myself, no man wished more to see his pen stopped; but I considered him still as a proper object of benevolence. The succeeding year, he again wanted money to buy paper for another volume. I made his letter, as before, the occasion of giving him another fifty dollars. He considers these as proofs of my approbation of his writings, when they were mere charities, yielded under a strong conviction that he was injuring us by his writings. It is known to many that the sums given to him were such, and even smaller than I was in the habit of giving to others in distress, of the federal as well as the republican party, without attention to political principles. Soon after I was elected to the government, Callender came on here, wishing to be made postmaster at Richmond. I knew him to be totally unfit for it; and however ready I was to aid him with my own charities, (and I then gave him fifty dollars,) I did not think the public offices confided to me to give away as charities. He took it in mortal offence, and from that moment has been hauling off to his former enemies, the federalists. . . . This is the true state of what has passed between him and me. I do not

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know that it can be used without committing me in controversy, as it were, with one too little respected by the public to merit that notice. I leave to your judgment what use can be made of these facts.<sup>8</sup>

This is the story of the relations of Jefferson and Callender up to the time of the refusal of the post-office appointment. The enemies of the President naturally put the worst face on the fact that he had paid money to Callender. Yet one who reads the whole of the correspondence between the two men<sup>9</sup> in the light of Jefferson's known sensibility, bounty, and tolerance, noting the pitiful appeals in Callender's letters picturing the destitution of his family, may very well accept the explanation as quoted above at its face value.

Well did Jefferson know that the Federalist papers would not do so, however. Callender, angered by his failure to get the appointment he sought and at the President's reluctance to repay him at once out of his personal funds the entire amount of the fine he had paid under the Sedition Act, went over to the enemy. Jefferson had sent him fifty dollars toward repaying the fine, promised to look after the matter further, and then sent him another fifty which he recalled when Callender turned against him.<sup>10</sup> What the lampooner now did was to capitalize on both his own scurrility and Jefferson's charity by declaring that his most reprehensi-

<sup>8</sup> To James Monroe, July 15, 1802. Lipscomb, *Writings of Jefferson*, Vol. X, pp. 330-33.

<sup>9</sup> See Worthington Chauncey Ford, ed., *Thomas Jefferson and Thomas Callender, 1798-1802* (Brooklyn, 1897).

<sup>10</sup> To James Monroe, May 29, 1801. Ford, *Writings of Jefferson*, Vol. VIII, p. 61.



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ble statements had been sponsored by Jefferson, so that the Federalist press could pin upon his "patron" certain scandalous statements about Washington and Adams which had appeared in *The Prospect Before Us*. To these efforts to drag the President in his own mire, Callender added industrious circulation of all the malicious stories about Jefferson's personal life that he could pick up or invent, including the vilest of all the canards—one about intimate relations with a female slave. Callender's unsavory career was soon cut short, however. He was drowned, after a drunken spree, in the James River, finding his grave, as one historian has well observed, "in congenial mud."<sup>11</sup>

Jefferson's support of Callender at any time was indiscreet, to say the least. The record would have been far better for him if he had broken off all connection with the man upon the publication of *The Prospect Before Us*, if not before. Jumping to the conclusion, however, that his charities toward this particular sufferer under the loathed Sedition Act made Jefferson *particeps criminis* with him shows, on the other hand, simply a failure to understand the situation.

Jefferson made it a rule to help all the men and papers so "persecuted," as far as he was able. "I, as well as most other Republicans who were in the way of doing it, contributed what I could afford to the support of the Republican papers and printers," he wrote later, "paid sums of money for the Bee, the Albany Register, etc.,"<sup>12</sup>

<sup>11</sup> Benjamin E. Martin, in *Magazine of American History*, Vol. XVII (April, 1887), p. 286.

<sup>12</sup> The *Bee* was the paper edited by Charles Holt in New London, Connecticut. Holt was convicted, fined, and imprisoned for some asper-

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when they were staggering under the Sedition law; contributed to the fines of Callender himself, of Holt, Brown and others, suffering under that law.”<sup>13</sup> He was indeed active in organizing a campaign not only of financial support for the victims of the Act, but of propaganda against it. He wrote to his close friend and lieutenant, Madison, who had left Congress and was now in Virginia:

. . . we are sensible that this summer is the season for systematic energies and sacrifices. The engine is the press. Every man must lay his purse and his pen under contribution. As to the former, it is possible I may be obliged to assume something for you. As to the latter, let me pray and beseech you to set apart a certain portion of every post day to write what may be proper for the public. Send it to me while here, and when I go away I will let you know to whom you may send, so that your name shall be sacredly secret.<sup>14</sup>

An effort to repeal the Sedition Act was lost in February, 1799; but an attempt to re-enact it shortly before its expiration March 3, 1801, also failed in the House by a narrow margin. Immediately upon his inauguration, Jefferson gave orders for the release of every person imprisoned under the law. A few years later he wrote to Abigail Adams:

. . . I discharged every person under punishment or prosecution under the sedition law, because I consid-  
ered the army. The Albany paper referred to got into trouble by reprinting some of the pieces for which Dr. Thomas Cooper was convicted under the Sedition Act.

<sup>13</sup> To James Monroe, July 17, 1802. Lipscomb, *Writings of Jefferson*, Vol. X, p. 334.

<sup>14</sup> February 5, 1799. *Ibid.*, p. 96.

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ered . . . that law to be a nullity, as absolute and as palpable as if Congress had ordered us to fall down and worship a golden image; and that it was as much my duty to arrest its execution in every stage, as it would have been to have rescued from the fiery furnace those who should have been cast into it for refusing to worship the image. It was accordingly done in every instance, without asking what the offenders had done, or against whom they had offended, but whether the pains they were suffering were inflicted under the pretended sedition law.<sup>15</sup>

The wheels of justice turn but slowly, however; and it was not until thirty-one years later that the Judiciary Committee of the House of Representatives denounced the Sedition Act as unconstitutional, thus making it possible to refund fines paid under it.<sup>16</sup> Jefferson had then been in his grave five and a half years, but he was not forgotten as the leader of the crusade against the pre-eminent attempt in American history to destroy the liberty of the press. In view of his devotion to press freedom, as a fundamental principle of the American system, it is highly appropriate that Jefferson should have attained to the presidency chiefly through this issue.

<sup>15</sup> July 22, 1804. *Ibid.*, Vol. XI, pp. 43-44.

<sup>16</sup> January 20, 1832. House Report 218, Twenty-second Congress, First Session.

## VII

### "A GREAT EXPERIMENT"

AND YET IT SEEMED, for a time, that this free press which Jefferson had done so much to nurture and defend would become, like Frankenstein's monster, horrific and dangerous. This was an era of invective in American journalism, wherein vituperation and personal calumny ran riot. Probably no great public figure in our history has ever suffered under so scurrilous a barrage of abuse and lies as Jefferson.

During the presidential campaign of 1800-1801, the *Columbian Centinel*, generally considered a respectable paper, maintained a department, called "The Enquirer," which it filled from day to day with attacks on Jefferson's opinions, character, and career. It was one of the newspapers which printed the serial "Jeffersoniad," signed "Decius," and devoted to the effort to demolish the candidate's personal as well as political character. "Burleigh," in the *Connecticut Courant*, provided a similar serial assault; and Joseph Dennie filled columns of the *United States Gazette*, of which he was temporarily associate editor, with such material. During this campaign the *New-England Palladium* printed the following eloquent absurdity:

Should the infidel Jefferson be elected to the Presidency, the *seal of death* is that moment set on our holy religion, our churches will be prostrated, and some in-

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famous prostitute, under the title of the Goddess of Reason, will preside in the Sanctuaries now devoted to the worship of the Most High.<sup>1</sup>

It is said that some of the New England people were so alarmed by this and other predictions, and so sure that, if elected, Jefferson would send soldiers through the countryside to destroy all signs of religion, that on the day the news of his victory came they hung their Bibles down their wells to conceal them. The *Monthly Magazine*, of Philadelphia, contained in its issue for November, 1800, reviews of no less than four pamphlets on the subject of the Republican candidate's "atheism."

But Jefferson was elected, no Bibles were burned, no churches were torn down. Did the attacks end with the campaign? By no means; they seemed, rather, to increase. A convenient place to study them, if one is so perversely inclined, is in the famous literary and political paper, the *Port Folio*, edited by Joseph Dennie in Philadelphia. In that Federalist and stoutly Tory organ the President was pilloried weekly. His pretensions to literary skill were ridiculed; the grammar and diction of the Declaration of Independence were severely criticized, the reading of it on the Fourth of July was protested, and the whole document was called "that false, and flatulent, and foolish paper." The President's claim to some philosophical reputation was often mocked at, and his honesty was sharply attacked. The libels of the egregious Callender—and especially those dealing with Jefferson's private life—were given currency. The re-

<sup>1</sup> Quoted in *Hudson Bee*, September 7, 1802.

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turn to America of "the loathsome Thomas Paine, a drunken atheist" and friend of Jefferson, was the cause of an outburst in July, 1801. Once the two favorite victims of the *Port Folio* were pilloried together in a paraphrase of Horace, ascribed to Paine and addressed to Jefferson, which began:

Dear Thomas, deem it no disgrace  
With slaves to mend thy breed,  
Nor let the wench's smutty face  
Deter thee from the deed.<sup>2</sup>

All of this afforded such an ordeal by canard as would have tested the patience and forbearance of any man. In the main, Jefferson met the test like a philosopher.

As early as 1798 he wrote to Peregrine Fitzhugh:

I have been for some time used as the property of the newspapers, a fair mark for every man's dirt. . . . It is hard treatment, and for a singular kind of offence, that of having obtained by the labors of a life the indulgent opinions of a part of one's fellow citizens. However, these moral evils must be submitted to, like the physical scourges of tempest, fire, etc.<sup>3</sup>

This sentiment reappears in other letters; <sup>4</sup> it seems to have been Jefferson's constant reaction throughout his first administration. Patient forbearance seemed his motto; turning the other cheek, his rule of conduct.

The House of Representatives of the Virginia legis-

<sup>2</sup> *Port Folio*, October 30, 1802.

<sup>3</sup> February 23, 1798. Lipscomb, *Writings of Jefferson*, Vol. X, pp. 1-2.

<sup>4</sup> See John P. Foley, ed., *The Jeffersonian Encyclopedia* (New York, 1900), entries 5926, 5927, 5929, 5960.

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lature passed a resolution rebuking "the extreme licentiousness of the Federal editors in their abuse of the President"; but with the Sedition Act prosecutions in recent recollection, it had to admit that it would be "impolitic and unconstitutional to restrict" their liberty to print.

When Jefferson stood for re-election in 1804, he faced a remarkable situation. There was virtually no campaign against him except the sniping of the opposition press. About all that was left of Federalism was a dogged loyalty to its glorious past and a lot of last-ditch newspapers. No Federalist standard-bearer seems even to have been named before the November elections, though fourteen votes for C. C. Pinckney showed up in the Electoral College returns.

His overwhelming victory in 1804 strengthened Jefferson in his conviction that, given freedom of the press to publish both truth and lies, truth would ultimately prevail. Thus he wrote to Judge John Tyler:

The firmness with which the people have withstood the late abuses of the press, the discernment they have manifested between truth and falsehood, show that they may safely be trusted to hear everything true and false, and to form a correct judgment between them.<sup>5</sup>

From this reasoning on the late campaign grew the fine statement of doctrine in Jefferson's second inaugural. The President conceived that, during his first administration, a great experiment of a free press in a democratic system had been made for the first time in history, testing whether a virtuous government can

<sup>5</sup> June 28, 1804. Lipscomb, *Writings of Jefferson*, Vol. XI, p. 33.

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survive the unrestrained attacks of its traducers. Can such a government exist and persist contemporaneously with an absolutely uncontrolled press? Can truth win its battle with lies? In the second inaugural, after adverting to the licentiousness of the newspaper attacks on his administration, Jefferson said:

Nor was it uninteresting to the world, that an experiment should be fairly and fully made, whether freedom of discussion, unaided by power, is not sufficient for the propagation and protection of truth—whether a government, conducting itself in the true spirit of its constitution, with zeal and purity, and doing no act which it would be unwilling the whole world should witness, can be written down by falsehood and defamation. The experiment has been tried; you have witnessed the scene; our fellow citizens have looked on, cool and collected; they saw the latent source from which these outrages proceeded; they gathered around their public functionaries, and when the constitution called them to the decision by suffrage, they pronounced their verdict, honorable to those who had served them, and consolatory to the friend of man, who believes he may be intrusted with his own affairs.<sup>6</sup>

Jefferson did not allow this philosophical and noble statement to stand by itself, however. He had suffered too much under the vilification of the opposition press to omit the corollary to his main doctrine—the necessity of libel laws to prevent injurious lying. So he added the injunction that “he who has time, renders a service to public morals and public tranquility, in reforming these abuses by the salutary coercions of the law.”

<sup>6</sup> March 4, 1805. *Ibid.*, Vol. III, p. 381.



## "A GREAT EXPERIMENT"

From the time of his earliest utterances on the freedom of the press, Jefferson had consistently added the condition that private actions for libel should be provided for.<sup>7</sup> But up to 1803 he seems to have believed that it was better for "public" individuals to let the press take its course without resort to such protection. As late as 1802 he wrote to Attorney General Levi Lincoln:

While a full range is proper for actions by individuals, either private or public, for slander affecting them, I would wish much to see the experiment tried of getting along without public prosecutions for *libels*. I believe we can do it. Patience and well doing, instead of punishment, if it can be found sufficiently efficacious, would be a happy change in the instruments of government.<sup>8</sup>

And to a French correspondent, after observing that abuses of press freedom had been "carried to a length never before known or borne by any civilized nation," he added:

But it is so difficult to draw a clear line of separation between the abuse and the wholesome use of the press, that as yet we have found it better to trust the public judgment, rather than the magistrate, with the discrimination between truth and falsehood.<sup>9</sup>

"I believe we can do it," he had written to General Lincoln; but a year later he was wavering. On February 19, 1803, he wrote to Governor Thomas McKean,

<sup>7</sup> See p. 7.

<sup>8</sup> March 24, 1802. Ford, *Writings of Jefferson*, Vol. VIII, p. 139.

<sup>9</sup> To Professor Pictet, February 5, 1803. Lipscomb, *Writings of Jefferson*, Vol. X, p. 357.

## JEFFERSON AND THE PRESS

of Pennsylvania, pointing out that the extreme "licentiousness" and "lying" of some of the Federalist papers tended to undermine the credit of the press in general, and adding that

. . . the press ought to be restored to its credibility if possible. The restraints provided by the laws of the states are sufficient for this if applied and I have therefore long thought that a few prosecutions of the most prominent offenders would have a wholesome effect in restoring the integrity of the presses. Not a general prosecution, for that would look like persecution: but a selected one.<sup>10</sup>

Here is no limitation of libel actions to those of a definitely "private" character; the inference is rather to the contrary. It seems fairly clear that Jefferson here abandoned his advice against criminal libel actions in behalf of public and political figures, and indeed suggested, in a general way, such actions.

How much influence this aggressive attitude of the President had upon the suit brought against Harry Croswell, editor of the lampooning sheet called the *Wasp*, at Hudson, New York, it would be hard to say. Jefferson took no part directly in the suit. This was a criminal action against Croswell for publishing a statement that had been going the rounds of the opposition press, that "Jefferson had paid Callender for calling Washington a traitor, a robber, and a perjurer."<sup>11</sup> The *Wasp* had printed much worse scurrilities against the President; this was a rehashing of the stories of the

<sup>10</sup> Ford, *Writings of Jefferson*, Vol. VIII, p. 218.

<sup>11</sup> See Croswell's own story in *Hudson Balance*, Vol. II (August 16, 1803), p. 258.

## "A GREAT EXPERIMENT"

heinous Callender. Croswell was convicted; on appeal he was defended by Alexander Hamilton, but the appeal was lost by an equal division of the Supreme Court.

Jefferson's statement in his second inaugural, celebrating the victory of truth over falsehood in the democratic system, but suggesting the soundness of libel restrictions, was repeated from time to time in his letters, notably in those to Thomas Seymour and William Short. To the former he wrote:

As to myself, conscious that there was not a *truth* on earth which I feared should be known, I have lent myself willingly as the subject of a great experiment, which was to prove that an administration, conducting itself with integrity and common understanding, cannot be battered down, even by the falsehoods of a licentious press, and consequently still less by the press, as restrained within the legal and wholesome limits of truth. This experiment was wanting for the world to demonstrate the falsehood of the pretext that freedom of the press is incompatible with orderly government. I have never, therefore, even contradicted the thousands of calumnies so industriously propagated against myself. But the fact being once established, that the press is impotent when it abandons itself to falsehood, I leave to others to restore it to its strength, by recalling it within the pale of truth. Within that it is a noble institution, equally the friend of science and of civil liberty.<sup>12</sup>

On the whole, Jefferson yielded little or nothing of his original doctrine regarding the press during his passage through the fiery furnace of newspaper criti-

<sup>12</sup> To Thomas Seymour, February 11, 1807. Lipscomb, *Writings of Jefferson*, Vol. XI, p. 155. The letter to Short is dated September 6, 1808. *Ibid.*, Vol. XII, pp. 159-60.

## JEFFERSON AND THE PRESS

cism. The sole inconsistency of his record lies in the fact that, although he urged the least possible use of the libel laws against licentious attacks in the earlier years, he came to favor more frequent use of that protection from 1803 onward. He adhered without deviation to the main principle, that the press must remain free, and that "the people may be intrusted with their own affairs."

## VIII

### ORGANS

WHEN JEFFERSON was first elected President, he gave some attention to the question of a newspaper organ for the new Administration. As the capital was about to be removed to Washington, such an organ would probably be a brand-new paper to be established in the town of six thousand to which the nation now turned as the seat of its government.

It was commonly expected that William Duane would establish the new paper. As Bache's successor in the editorial chair of the Philadelphia *Aurora*, he had shown himself a vigorous and brilliant writer. During the reign of terror in the Republican press caused by the Sedition Act, he had occupied a position in the forefront of American journalism, refusing to modify his criticisms of Adams under the law's threat and facing courageously the several actions brought against him. The *Aurora* had been the leader of the Jeffersonian press during the campaign just ended.

Jefferson appreciated Duane's services, but there is reason to believe that he personally disliked and distrusted the *Aurora's* type of journalism, with its shrill belligerence and ready billingsgate. At any rate, he gave the nod to a young journalist who was much more the scholar and the gentleman, Samuel Harrison Smith. Mrs. Smith later wrote in her memoirs:

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During part of the time that Mr. Jefferson was president of the Philosophical Society, Mr. Smith was the secretary. A prize offered by the society for the best system of national education was gained by Mr. Smith. The merit of this essay first attracted the notice of Mr. Jefferson to its author; the personal acquaintance that then took place led to a friendly intercourse which influenced the future destiny of my husband, as it was by Mr. Jefferson's advice that he removed to Washington and established the *National Intelligencer*. Esteem for the talents and character of the editor first won Mr. Jefferson's regard—a regard which lasted to the end of his life and was a thousand times evinced by acts of personal kindness and confidence.<sup>1</sup>

The *Intelligencer* lived up to Jefferson's expectations. Eventually Smith became a semiofficial reporter of the debates of Congress; his record of those debates was, indeed, for several years the only one made. This gave the paper a pre-eminence in American journalism which it retained for a long time. For the first quarter of the century, most papers based their news of the national capital on the *Intelligencer's* columns. Politically, Smith was not combative, but he was at all times a sympathetic reporter of the activities of the Administration.

In the meantime, Duane, disappointed and unsuccessful, continued with the *Aurora*. The paper was in financial difficulties, so he opened up a book and stationery store in Washington, in the hope of receiving government patronage. Though he was turning the public printing to Smith, Jefferson gave Duane what help he

<sup>1</sup> Smith, *First Forty Years in Washington*, p. 9.

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could in the matter of stationery, and ordered books from him personally.<sup>2</sup> Eventually, Duane gave up this project and interested himself chiefly in Pennsylvania state politics. He grew more violent in these factional fights, and involved himself in a multitude of conflicting antagonisms. It is said that the year 1806 found him defendant in no less than sixty libel suits.<sup>3</sup> After his defeat for the State Senate in 1807, his personal power, as well as the circulation of his paper, declined under the attacks of Binns's *Democratic Press*.<sup>4</sup> At this juncture, stirred by the threat of war in the West brought on by the Burr conspiracy, he became interested in military matters, published army manuals which he prepared himself, and applied to Jefferson for a commission. The President, toward the end of his second administration, appointed him a lieutenant colonel of riflemen. Writing to Duane shortly after his retirement, Jefferson said:

I cannot conclude without thanking you for the information you have usefully conveyed to me from time to time, and for the many proofs of your friendship and confidence. I carry into retirement deep-seated feelings for these favors and shall always recollect them with pleasure.<sup>5</sup>

<sup>2</sup> See Worthington Chauncey Ford, ed., "The Letters of William Duane," in *Proceedings of the Massachusetts Historical Society*, 2d Ser., Vol. XX (May, 1906), pp. 257-394.

<sup>3</sup> Allan C. Clark, "William Duane," in *Records of the Columbia Historical Society*, Vol. IX (1906), p. 25.

<sup>4</sup> William Meigs, "Pennsylvania Politics Early in This Century," in *Pennsylvania Magazine of History and Biography*, Vol. XVII (1893), pp. 462-96.

<sup>5</sup> Quoted from MSS in Ford, "Jefferson and the Newspaper," in *loc. cit.*, p. 104.

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This referred to many letters in which Duane had informed the President of reports and rumors and bits of party politics. But Duane as a military officer was no more successful than Duane the publisher and Duane the politician, and he soon became a chronic applicant for appointment to office. In 1811 he threatened to try the improvement of his fortunes by changing parties. But Jefferson remained faithful to him, and he and Chancellor Dabney Carr wrote to various Virginia friends, soliciting support for the *Aurora*. To Wirt, Jefferson wrote:

This paper has unquestionably rendered incalculable services to republicanism through all its struggles with the federalists and has been the rallying point for the orthodoxy of the whole Union. It was our comfort in the gloomiest days, and is still performing the office of a watchful sentinel.<sup>6</sup>

In a letter to the same correspondent a few weeks later, he made a juster appraisal of Duane's character:

I believe Duane to be a very honest man and sincerely republican; but his passions are stronger than his prudence, and his personal as well as general antipathies render him very intolerant. These traits lead him astray, and require his readers, even those who value him for his steady support of the republican cause, to be on their guard against his occasional aberrations.<sup>7</sup>

To the end of his life, Jefferson wrote occasional letters recommending Duane to the favor of his friends.

It is pleasant to turn from the *Aurora* to the Rich-

<sup>6</sup> March 30, 1811. Ford, *Writings of Jefferson*, Vol. IX, pp. 316-17.

<sup>7</sup> May 3, 1811. Lipscomb, *Writings of Jefferson*, Vol. XIII, pp. 55-56.



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mond *Enquirer*, leading newspaper of Jefferson's home state. In 1804, after the disappearance of the ill-managed and ill-fated *Examiner*, there was no Republican paper in the town; and party leaders interested themselves in the establishment of one. It was President Jefferson who suggested to young Thomas Ritchie, who had recently given up school teaching to run a bookshop in Richmond and had thereby made the acquaintance of one of the State's best book-buyers, that he should take up the pen and the editorial shears in the cause.<sup>8</sup> As in the case of Samuel Harrison Smith, Jefferson's judgment here was excellent. In the course of time and labor, Ritchie became one of the best known editors in America and a political leader of great influence. His industry, his social qualities, and above all his cogent reasoning and good judgment made him a great journalist. The *Enquirer* was long a comfort to Jefferson; especially was this true in his old age, when he read no other newspaper. He was never, however, intimately acquainted with the editor.<sup>9</sup>

Jefferson lived to see Republican papers predominate in the country at large. But at the beginning of his political career it was far otherwise; when he was elected Vice President, four-fifths of the papers were of the Federalist faith.

The reasons for Federalist dominance in the press from 1789 to 1812 are clear. The early papers were published chiefly in the seaports and commercial towns,

<sup>8</sup> Charles H. Ambler, *Thomas Ritchie: A Study in Virginia Politics* (Richmond, 1913), p. 18.

<sup>9</sup> See letter to Wirt, May 3, 1811. Lipscomb, *Writings of Jefferson*, Vol. XIII, p. 57.

## JEFFERSON AND THE PRESS

and they generally stood for and expressed those patriotic aims characteristic of the Washington-Hamilton politics, of promoting commerce with England and establishing a sound commercial system. As Jefferson wrote in his notes on Professor C. D. Ebeling's letter of July 30, 1795, the Federalists "live in cities together and can act in a body readily, and at all times; they give chief employment to the newspapers, and therefore have most of them under their command."<sup>10</sup> The daily papers, of which there were seventeen at the end of Washington's term, were in most cases devoted so largely to serving the mercantile class that they could scarcely be called newspapers of general circulation; they were filled with the advertisements of importers, and nearly all used the word *Advertiser* in title or subtitle. But almost all of them took political positions—or rather a political position, for nearly all were Federalist.

However, as the waves of settlement rolled slowly over western New York, central and western Pennsylvania, southeastern Ohio, Kentucky, and Tennessee, with new papers being started in every new town, the proportion of Republican papers slowly increased. Most of the new papers were Republican, not only because Jeffersonian politics were more sympathetic with western development than those of the Federalists, but also because Federalism was going to pieces; and new papers, even in the East, tended to set themselves up for the under-represented Republican majorities. But it was a slow process—this redressing of the large

<sup>10</sup> Ford, *Writings of Jefferson*, Vol. VII, p. 48.

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Federalist newspaper preponderance—since it had to be done almost wholly by the founding of new papers. For an established paper to change political faith would have marked it as a Judas, and examples of such turpitude were rare.

Thus in 1804 Jefferson wrote of the Federalists, “. . . tho' not one  $\frac{1}{25}$  [of the] nation, they command  $\frac{3}{4}$  of it's papers.”<sup>11</sup> This was probably an overestimate; it seems likely that Jefferson had at least a third of the papers with him when he was re-elected. But even that represents a slow change-over to the Republican side. It was not until the second election of Madison in 1812 that the Jeffersonian party could count on a slight majority of newspaper support. Isaiah Thomas' list, compiled in 1810, shows an almost exact partisan balance in the papers.<sup>12</sup>

<sup>11</sup> To William Short, January 23, 1804. *American Historical Review*, Vol. XXXIII (July, 1928), p. 834.

<sup>12</sup> Isaiah Thomas, *The History of Printing in America*, 2 vols. (Worcester, 1810), Vol. II, pp. 515-24.

## IX

### RETREAT TO THE CLASSICS

SEVERAL MONTHS before he retired from the presidency, Jefferson wrote an extraordinary letter to a boy who proposed entering newspaper work. John Norvell, aged seventeen, of Danville, Kentucky, had asked the President two questions: What were the best books on social and political philosophy? How should a newspaper be conducted in order to be most helpful? Here was a boy, apparently unknown and unrecommended by any common friend, writing to the President of the United States for advice about his studies. And the President lays aside the affairs of state, takes up his quill pen, and with his own hand writes a letter of more than a thousand words to the young student.

But this phase of the matter was characteristically Jeffersonian. The extraordinary thing about it is the complete disillusion, the bitter cynicism, in regard to the newspapers of the time shown in the letter itself. The second half of the letter follows:

. . . To your request of my opinion of the manner in which a newspaper should be conducted, so as to be most useful, I should answer, "by restraining it to true facts and sound principles only." Yet I fear such a paper would find few subscribers. It is a melancholy truth, that a suppression of the press could not more completely deprive the nation of its benefits, than is done by its abandoned prostitution to falsehood. Nothing can now be believed which is seen in a newspaper. Truth itself

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becomes suspicious by being put into that polluted vehicle. The real extent of this state of misinformation is known only to those who are in situations to confront facts within their knowledge with the lies of the day. I really look with commiseration over the great body of my fellow citizens, who, reading newspapers, live and die in the belief that they have known something of what has been passing in the world in their time; whereas the accounts they have read in newspapers are just as true a history of any other period of the world as of the present, except that the real names of the day are affixed to their fables. General facts may indeed be collected from them, such as that Europe is now at war, that Bonaparte has been a successful warrior, that he has subjected a great portion of Europe to his will, etc., etc.; but no details can be relied on. I will add, that the man who never looks into a newspaper is better informed than he who reads them; inasmuch as he who knows nothing is nearer to truth than he whose mind is filled with falsehoods and errors. He who reads nothing will still learn the great facts, and the details are all false.

Perhaps an editor might begin a reformation in some such way as this. Divide his paper into four chapters, heading the 1st, Truths. 2d, Probabilities. 3d, Possibilities. 4th, Lies. The first chapter would be very short, as it would contain little more than authentic papers, and information from such sources, as the editor would be willing to risk his own reputation for their truth. The second would contain what, from a mature consideration of all circumstances, his judgment should conclude to be probably true. This, however, should rather contain too little than too much. The third and fourth should be professedly for those readers who would rather have lies for their money than the blank paper they would occupy.

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Such an editor, too, would have to set his face against the demoralizing practice of feeding the public mind habitually on slander, and the depravity of taste which this nauseous aliment induces. Defamation is becoming a necessary of life; insomuch, that a dish of tea in the morning or evening cannot be digested without this stimulant. Even those who do not believe these abominations, still read them with complaisance to their auditors, and instead of the abhorrence and indignation which should fill a virtuous mind, betray a secret pleasure in the possibility that some may believe them, though they do not themselves. It seems to escape them, that it is not he who prints, but he who pays for printing a slander, who is its real author.

These thoughts on the subjects of your letter are hazarded at your request. Repeated instances of the publication of what has not been intended for the public eye, and the malignity with which political enemies torture every sentence from me into meanings imagined by their own wickedness only, justify my expressing a solicitude, that this hasty communication may in no wise be permitted to find its way into the public papers. Not fearing these political bulldogs, I yet avoid putting myself in the way of being baited by them, and do not wish to volunteer away that portion of tranquillity, which a firm execution of my duties will permit me to enjoy.

I tender you my salutations, and best wishes for your success.<sup>1</sup>

Young Norvell obeyed the presidential injunction to keep this letter out of the papers during Jefferson's lifetime, but printed it in his own paper immediately after its author's death.

In considering the Norvell letter, it must be remem-

<sup>1</sup> June 11, 1807. Lipscomb, *Writings of Jefferson*, Vol. XI, pp. 222-26.

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bered that in the first quarter of the nineteenth century American newspapers in general reached the lowest ethical ebb of their history. These years comprise a kind of Dark Ages of American journalism. The root of the trouble was in the bigoted partisanship which dominated the press. Loyalty to party was placed above honest reporting, above fair comment.

But even when this condition is taken into full consideration, there are statements in the Norvell letter which the honest critic cannot quite condone or forgive. After all there were good papers even in those days; certainly the *Evening Post* and *Commercial Advertiser* in New York, the *Columbian Centinel* and *Independent Chronicle* in Boston, the *National Intelligencer*, the *Pennsylvania Packet*, the *Baltimore American*, the *Richmond Enquirer*, the *Raleigh Register*, and the *Charleston Courier*—to name but ten—were not wholly bad. These were not intentional liars, and sensible readers could make allowances for their occasional over-enthusiasm for party. It is obvious that when he wrote the pages to John Norvell, Jefferson was smarting under some particularly painful attack or attacks; and he wrote not as a philosopher but as a shamefully persecuted man. The sagacious Hezekiah Niles, printing the letter in his *Register*, remarked that he was sorry to publish it, but others were doing so and he supposed that he must, for the sake of the record. "It was probably written," he observed astutely, "at some moment of peculiar excitement. Even Jefferson was not always wise." <sup>2</sup>

<sup>2</sup> *Niles' Register*, Vol. XXXI (September 30, 1826), p. 76.

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It is interesting to inquire into the effect which the letter had upon the youth to whom it was addressed. The fever for journalism is hard to cure; and President Jefferson's letter apparently had no deterrent effect upon John Norvell, who proceeded at once to learn the printer's trade and to edit a paper at Hagerstown, Maryland. Ambitious and industrious, he also studied law and was admitted to practice. In 1817 he bought the *Kentucky Gazette*, famous as the earliest pioneer paper in that state, at Lexington; but two years later he sold it to buy an interest in the *Franklin Gazette*, of Philadelphia. There he was a partner of Richard Bache, son of the Benjamin Franklin Bache who had conducted the *Aurora* in such a lively manner. In 1831 Norvell was one of those Democratic editors whom President Jackson was criticized for appointing to postmaster-ships; he was sent to Detroit for his job, and remained in Michigan politics until his death. He represented that State in the United States Senate in 1837-1841. During half his adult life he was actively engaged in journalism.<sup>3</sup>

When Jefferson died in 1826, John Norvell was editor and publisher of the *Aurora and Franklin Gazette*, a combination of two of Philadelphia's Democratic pa-

<sup>3</sup> A chief source for Norvell's career is Colonel Freeman Norvell, "History and Times of the Hon. John Norvell," in *Report of the Pioneer Society of the State of Michigan*, 1881 (*Michigan Pioneer Collections*, Vol. III), pp. 140-48. Written by a son of John Norvell, this account is full of inaccuracies. It must at least be checked by reference to Clarence S. Brigham, *Bibliography of American Newspapers, 1690-1820*, published serially in *Proceedings of the American Antiquarian Society*, N. Ser., Vols. XXIII-XXXVII (1913-27). The latter is a work of extraordinary accuracy in a difficult field.



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pers. Now an experienced journalist, he looked back with interest upon his receipt of the letter, and added a judicious comment as he printed it in his own paper:

Upwards of nineteen years ago, when the Editor of this Gazette was between seventeen and eighteen years of age, and was preparing himself for the business of life, he received the following letter from the late President Jefferson, in reply to inquiries proposed to him, which the answer sufficiently explains. The frankness and vigor of this production are only equalled by the virtuous indignation to which the abuses of the press, which then prevailed, gave rise in his mind. Though the same abuses exist at this day to some extent, a manifest improvement has taken place in the character and conduct of American newspapers. Still, the letter, in both branches of its subjects, may be read with profit, and is characteristic of its illustrious writer.<sup>4</sup>

In the years which followed his retirement from the presidency, Jefferson occasionally made statements which reflected somewhat the same attitude betrayed by the Norvell letter, as when he wrote to James Monroe:

A truth now and then projecting into the ocean of newspaper lies, serves like a headlands to correct our course. Indeed, my scepticism as to everything I see in a newspaper, makes me indifferent whether I ever see one.<sup>5</sup>

<sup>4</sup> *Aurora and Franklin Gazette*, September 9, 1826. This paper was temporarily suspended in 1830, leaving Norvell stranded until President Jackson appointed him to the Detroit job.

<sup>5</sup> January 1, 1815. Lipscomb, *Writings of Jefferson*, Vol. XIV, p. 226. See also letter to President Madison, April 19, 1809, *ibid.*, Vol. XII, p. 273; and letter to Dr. Walter Jones, January 2, 1814, *ibid.*, Vol. XIV, p. 46.

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Jefferson had long looked forward to his retirement from public life as toward an elysium of peace and quiet study. When he had planned such a retirement in 1792, his determination had been shaken by certain attacks upon him in the newspapers, which had made him dubious about quitting under fire.<sup>6</sup> Now he was resolved to forget the newspapers. Now he was released from his twenty years under the lash; the gazettes might continue to lampoon him, but he was no longer obliged to read their abuse.

"From forty years' experience," he wrote to Monroe from peaceful Monticello, "of the wretched guesswork of the newspapers of what is not done in open daylight, and of their falsehood even as to that, I rarely think them worth reading, and almost never worth notice." <sup>7</sup> The Richmond *Enquirer*, however, leading supporter of his party in his own home state, whose editor, Thomas Ritchie, had entered upon a notable journalistic career at his own suggestion, still maintained its place at the Monticello fireside. "It is long," wrote Jefferson to Ritchie in 1818, "since I have ceased to read any newspaper but yours, and I shall continue to read no other." <sup>8</sup> And yet, with an old man's petulance, he was sometimes sarcastic even about the *Enquirer*:

<sup>6</sup> See letter to T. M. Randolph, February 7, 1793, in Sarah N. Randolph, *The Domestic Life of Thomas Jefferson* (New York, 1871), p. 215. See also letter to Mrs. Randolph, January 26, 1793, in Lipscomb, *Writings of Jefferson*, Vol. IX, pp. 15-16.

<sup>7</sup> February 4, 1816. Lipscomb, *Writings of Jefferson*, Vol. XIV, pp. 430-31.

<sup>8</sup> December 7, 1818. Library of Congress MS collection.

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I read no newspaper now but Ritchie's, and in that chiefly the advertisements, for they contain the only truths to be relied on in a newspaper. I feel a much greater interest in knowing what has passed two or three thousand years ago, than in what is now passing.<sup>9</sup>

"Never did a prisoner, released from his chains, feel such relief as I shall on shaking off the shackles of power," wrote Jefferson to De Nemours just before his retirement. "Nature intended me for the tranquil pursuits of science, by rendering them my supreme delight."<sup>10</sup> Much may be said for the contention that Jefferson was indeed better fitted for calmer pursuits than for the hurly-burly of political strife. At any rate, it is pleasant to think of him, as an aged man, devoting his more active hours to his farm and his cherished project for a university, and his reading hours to the history and literature of the ancients. "I . . . am as industrious a reader as when a student at college," he wrote to Waterhouse, adding: "Not of newspapers. These I have discarded."<sup>11</sup> And to his faithful correspondent, President Monroe: "I read but a single paper, and that hastily. I find Horace and Tacitus so much better writers than the champions of the gazettes, that I lay those down to take up these with great reluctance."<sup>12</sup>

<sup>9</sup> To Nathaniel Macon, January 12, 1819. Lipscomb, *Writings of Jefferson*, Vol. XV, p. 179.

<sup>10</sup> March 2, 1809. *Ibid.*, Vol. XII, pp. 259-60.

<sup>11</sup> To Benjamin Waterhouse, March 3, 1818. *Ibid.*, Vol. XV, p. 164.

<sup>12</sup> June 11, 1823. *Ibid.*, p. 435.

## X CONCLUSION

THE NORVELL letter alone tells us but little about Jefferson's attitudes toward the press. Nor does the Carrington letter, dealing though it does with fundamentals, clarify the whole matter. We must review the whole story to understand any of it. When we do this, it falls into fairly simple outlines.

From the earliest years of his public career to the latest, Jefferson adhered to the conviction that the press was an integral part of the democratic system. Keep the press free, see that the facts get to the people, and the people will govern themselves wisely: that was his whole doctrine. It was in 1799 that he wrote to Archibald Stuart: "Our citizens may be deceived for awhile, and have been deceived; but as long as the presses can be protected, we may trust to them for light."<sup>1</sup> Despite his own sufferings at the hands of scribblers for these presses, and his occasional outbursts of petulance, the "trust" thus referred to in his first year in the government was never extinguished.

Three years before his death he wrote in similar vein to the Marquis de Lafayette, his correspondent throughout much of his life:

But the only security of all, is in a free press. The force of public opinion cannot be resisted, when permitted

<sup>1</sup> May 14, 1799. Ford, *Writings of Jefferson*, Vol. VII, p. 378.

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freely to be expressed. The agitation it produces must be submitted to. It is necessary, to keep the waters pure.<sup>2</sup>

It is true that Jefferson did not always submit to the agitation of the dirty waters gracefully. It is true that, though he made a major issue of prosecutions for libel under the Federal Sedition Act, he was eventually driven to a certain measure of advocacy of libel prosecutions under State laws.

It is true also that Jefferson made serious mistakes in dealing with certain journalists of a low type—notably with Callender. Perhaps he was not judicious with Duane; possibly not with Freneau. On the other hand, when he had the opportunity to choose his champions, he named such men as Samuel Harrison Smith and Thomas Ritchie, high-minded journalists both. There is no doubt that the sufferings of Callender and Duane under the Sedition law, and their support of his cause in what he thought of as the American "reign of terror," tended to blind him to their faults; nor could he ever resist appeals for help from friends in distress.

Jefferson's secretive methods, with his phobia about not contributing to the press, may be looked upon as a fault; on the other hand, given the conditions of contemporary journalism, they may seem no more than reasonable discretion.

We must not overlook the fact of Jefferson's native sensitiveness. He found in Sterne's *Sentimental Journey* much matter for emulation; he thought Ossian the greatest of poets; he called music "the favorite passion of my soul." He must have suffered poignantly from

<sup>2</sup> November 4, 1823. Lipscomb, *Writings of Jefferson*, Vol. XV, p. 491.

## JEFFERSON AND THE PRESS

the blackguardism of the lampooners. He speaks in a letter of 1810 of having served his traducers "faithfully for a term of twelve or fourteen years, in the terrific station of Rawhead and Bloodybones"<sup>3</sup>—a figure of speech which expresses powerfully the laceration of spirit which he doubtless underwent through those years. This goes far to explain the Norvell letter and his personal discarding of the newspapers in favor of the classics when his retirement from public life permitted.

Every President has had his troubles with the press. Jefferson himself declared the censorship of government to be a function of the newspapers, but it is only human to resent censure. Some, like Jackson and Lincoln, have been able to manage and to use the papers with considerable understanding. Others, like Cleveland, have ended by hating all of them. Happy is the public man who can restrain his passions and act with rational, even temper in the midst of storms of abuse.

This is what Jefferson, in the main, was able to do. To the end of his presidency he maintained such a dignified restraint and even tenor. The unpublished Norvell letter doubtless acted as a safety valve on an overcharged steam boiler. To the end of his life Jefferson kept his testimony for the liberty of the press, the free flow of news and facts, and the bright light of publicity, allowing only for the minimum restraints of the libel laws of the States. Such is the accepted doctrine among liberal minds today.

Jefferson stands out as the foremost exponent in his-

<sup>3</sup> To W. D. G. Worthington, February 24, 1810. *Ibid.*, Vol. XII, p. 362.

## CONCLUSION

tory of the necessity of a free press in any system of popular or democratic government. No other man has stated that principle so well.

Shortly before his death, he took up his pen and wrote with trembling hand to his French correspondent, M. Coray, this sentence, which may well close our review of his relations with the public journals: “. . . the press . . . is also the best instrument for enlightening the mind of man, and improving him as a rational, moral, and social being.”<sup>4</sup>

<sup>4</sup> November 4, 1823. *Ibid.*, Vol. XV, p. 489.